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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,388	03/24/2004	Theodore Rappaport	WV00015 CP3	3327
22917	7590	04/05/2007		
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER COLBERT, ELLA	
			ART UNIT	PAPER NUMBER
			3694	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		04/05/2007	ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/05/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.Schaumburg@motorola.com  
 APT099@motorola.com

# Office Action Summary

Application No.

10/807,388

Applicant(s)

RAPPAPORT ET AL.

Examiner

Ella Colbert

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/24/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-12 are pending in the instant application filed 03/24/04.
2. The IDS filed 03/24/04 has been entered and considered.
3. The Change in Power of Attorney and Correspondence Address Change have been entered.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,625,827), Krause et al, hereafter Krause.

With respect to claim 1, (a) creating and formatting a plurality of objects defining an environment of floors, wall, partitions, buildings, building complexes or compounds, terrain, foliage or other sites or obstructions (col. 3, lines 19-41), (b) verifying the sufficiency of the plurality of objects to ensure useful definition of the environment and notifying a user of results of the verification of sufficiency (col. 5, lines 1-14 and lines 43-53), and (c) generating a set of formatted data in a form transportable to and usable by an engineering planning model or other application (col. 5, lines 30-42). Krause did not explicitly teach, generating a set of formatted data, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to generate a set of formatted data and in view of Krause's teachings of blueprint models and files of construction drawings and to incorporate in Krause the generation of a set of formatted

data because such a modification would allow Krause's system to relate the formatted data to the blueprint models and files of the construction drawings.

With respect to claim 2, (d) inputting existing data, vectors or drawing objects, the data, vectors or drawing objects either partially or fully describing the environment (col. 5, lines 57-67 and col. 6, lines 1-8), (e) removing extraneous drawing objects to simplify the definition of the environment (col. 10, lines 1-50), and steps (d) and (e) may be performed before or after step (a), if the data exists that fully or partially defines the environment (col. 7, lines 63-67 and col. 8, lines 1-11).

With respect to claim 3, Krause failed to teach, the existing data is in the form of raster files or in the form of vector files, the raster files are selected from the group consisting of Windows bitmap (BMP), Joint Photographic Experts Group Format (JPEG), Graphical Interchange Format (GIF), Tagged-Image File Format (TIFF), Targa Format (TGA), PICT, and Postscript, and the vector files and selected from the group consisting of AutoCAD (DWG), AutoDesk (DXF), and Windows MetaFile (WMF) (col. 3, lines 19-41). Krause did not explicitly teach, Joint Photographic Experts Group Format (JPEG), Graphical Interchange Format (GIF), Tagged-Image File Format (TIFF), Targa Format (TGA), PICT, and Postscript, and the vector files and Windows MetaFile (WMF), but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have Joint Photographic Experts Group Format (JPEG), Graphical Interchange Format (GIF), Tagged-Image File Format (TIFF), Targa Format (TGA), PICT, and Postscript, and the vector files and Windows MetaFile (WMF) and to incorporate in Krause because such a modification would allow Krause to compress the text and graphic images for storage on a computer memory device and to view the decompressed file-images then run a decompression and conversion program to decompress the file and to convert it back into its original file-type (TIFF).

With respect to claim 4, Krause teaches, rendering a three-dimensional view of the environment, the step of rendering a three-dimensional view may be performed at any time after at least one of the plurality of objects has been created (col. 1, lines 63-67 and col. 2, lines 1-3).

With respect to claim 5, Krause teaches, the rendering step includes the step of selecting a three-dimensional view of a selected perspective of the environment (col. 3, lines 8-17).

With respect to claim 6, Krause teaches, step (a) comprises the step of adjusting partition colors and physical and electrical descriptions of the partitions (col. 10, lines 16-28).

With respect to claim 7, Krause teaches, the formatted data defines the environment and each object associated with at least one of the group consisting of a specific location in the environment, and attenuation factor, a color, height, a surface roughness value, and a reflectivity value (col. 8, lines 37-58 and col. 10, lines 16-28).

With respect to claim 8, Krause teaches, step (b) automatically prompts a user to verify that each piece of necessary information to define the environment has been added to the definition of the environment before executing the verification of each piece of necessary information, and if the user answers in the negative, prompts the user to enter missing information before proceeding (col. 8, lines 59-67). Krause did not explicitly teach, the user answering in the negative prompts the user to enter missing information before proceeding, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have if the user answers in the negative the user is prompted to enter the missing information before proceeding and to incorporate in Krause because such a modification would allow Krause to consider that

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the information is correct that defines the environment in the drawing and the view of the environment.

With respect to claim 9, Krause teaches, the formatted data comprises at least one vectorized drawing of the environment (col. 9, lines 47-65, col. 10, lines 16-28, and figures 6 and 7).

With respect to claim 10, this claim is rejected for the similar rationale given above for claim 1.

With respect to claim 11, this claim is rejected for the similar rationale as given above for claim 1.

With respect to claim 12, this independent claim is rejected for the similar rationale as given above for claim 1. Applicants' claim an apparatus in claim 12 with steps corresponding to the method steps in claim 1.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dries et al (US 5,986,670) disclosed producing a computer generated display that permits visualization of changes to the interior and exterior of a building structure.

### ***Inquiries***


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday, Tuesday, and Thursday, 5:30AM-3:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 2, 2007

  
ELLA COLBERT  
PRIMARY EXAMINER